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# New Ohio bill on Lake Erie water use considered

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TOLEDO — Republican legislators in Ohio are taking a second shot at setting rules on how much water factories and farms in the state can draw out of Lake Erie, rolling out a plan that would cut in half the amount tapped without a permit and add some oversight to the process.

They hope the changes will be enough to satisfy Republican Gov. John Kasich, who vetoed the first attempt, and to meet the requirements of the Great Lakes Compact.

The agreement, signed into law in 2008 by President George W. Bush, says all waters within the Great Lakes basin should be protected as part of the public trust. The states bordering the lakes sought the protection to prevent Southern states where water is in short supply from taking it.

Eight states and two Canadian provinces adjoining the Great Lakes have until the end of 2013 to establish regulations for large-scale withdrawals from the lakes and their tributaries.

Ohio's first proposal was met with sweeping opposition last year. Governors in New York and Michigan criticized the plan as did former Ohio Republican Govs. Bob Taft and George Voinovich. Kasich then vetoed the legislation, saying it lacked clear standards for conservation and withdrawals and did not include enough monitoring of withdrawals.

Under the new plan, businesses could take an average of 2.5 million gallons of water a day from the lake over a 90-day period — down from 5 million in the original proposal

— and 1 million gallons from rivers feeding into the lake. Those that go over that amount would need a permit.

The proposed usage amounts are closer to what other Great Lakes states have put in place.

Republican Rep. Lynn Wachtmann, the bill's sponsor, provided comparisons to explain how much water would be tapped. He said the Sandusky River in northern Ohio flows at 900 million gallons per day on a medium-flow day and a small creek typically runs at 100,000 gallons per day.

"Most people have a hard time wrapping their mind around the massive volume of water that flows into Lake Erie every day," he said.

But environmentalists have concerns about how the plan will affect Lake Erie and the rivers that flow into it.

The Ohio Environmental Council is worried that businesses would be able to take huge amounts of water and still not need a permit because the usage is averaged out over a 90-day period, said Kristy Meyer, the group's water specialist.

Other concerns include how the state will determine the definition of "adverse impact" to the lakes and rivers and the limits on who can appeal permits issued for water use, she said.

"I don't get the sense that we're going to make them change," Meyer said. "I'd like to be wrong."

Wachtmann said the governor's office has been involved in crafting the latest proposal, and he is confident they will reach an agreement.